

IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS
CHANCERY DIVISION

FILED

MAR 12 2015

KATHERINE M. KEEFE
McHENRY CTY. CIR. CLK.

PEOPLE OF THE STATE OF ILLINOIS,)
ex rel. LISA MADIGAN, Attorney)
General of the State Illinois,)

Plaintiff,)

v.)

No. 13 CH 1046

300 WEST LLC, an Illinois limited)
liability company, and THE ARNOLD)
ENGINEERING CO., an Illinois)
corporation a/k/a Arnold Magnetic)
Technologies Corporation,)

Defendants.)

NOTICE OF FILING

TO: Dennis G. Walsh, Esq.
Howard Jablecki, Esq.
Klein, Thorpe & Jenkins, Ltd
20 North Wacker Drive, Suite 1660
Chicago, Illinois 60606

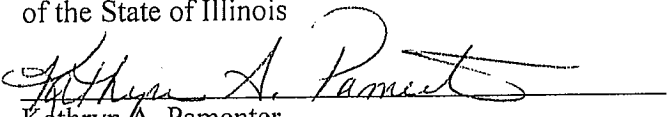
Jessica E. DeMonte, Esq.
Scott A. Kane, Esq.
Heather L. Sturtz, Esq.
Gary L. Pasheilich, Esq.
Squire Patton Boggs
Three First National Plaza
70 W. Madison Street, Suite 2015
Chicago, IL 60602

PLEASE TAKE NOTICE that on March 12, 2015, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, filed with the McHenry County Circuit Court Clerk, the First Agreed Modification to Second Agreed Preliminary Injunction Order, a true and correct copy of which is attached hereto and hereby served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. LISA MADIGAN, Attorney General
of the State of Illinois

BY:


Kathryn A. Pamenter
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602
(312) 814-0608

DATE: March 10, 2015

FILED

MAR 12 2015

KATHERINE M. KSGFE
McHENRY CTY. CIR. CLK.

**IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS
CHANCERY DIVISION**

PEOPLE OF THE STATE OF ILLINOIS,)
ex rel. LISA MADIGAN, Attorney)
General of the State Illinois,)

Plaintiff,)

v.)

No. 13 CH 1046

300 WEST LLC, an Illinois limited liability)
co. and THE ARNOLD ENGINEERING)
CO., an Illinois corporation a/k/a)
Arnold Magnetic Technologies)
Corporation,)

Defendants.)

**FIRST AGREED MODIFICATION TO SECOND AGREED PRELIMINARY
INJUNCTION ORDER**

1. On June 11, 2014, the Court entered a Second Agreed Preliminary Injunction Order with 300 West, LLC ("300 West") and The Arnold Engineering Co. ("Arnold" and together with 300 West "the Defendants"), in which the Defendants agreed to certain compliance provisions ("Second Agreed Order").

2. Section IV.10(b) of the Second Agreed Order that was entered by this Court on June 11, 2014 is hereby deleted in its entirety and replaced with the following:

b. ***Comprehensive Site Investigation.***

i. ***Off-Site Sampling Deadlines.***

- 1) On or before March 9, 2015, the Defendants shall complete all off-Site soil borings and install all monitoring wells, as depicted on Exhibit 1.
- 2) On or before March 16, 2015, the Defendants shall

complete sampling of all off-Site soil boring and monitoring well locations, as depicted on Exhibit 1.

3) On or before March 23, 2015, the Defendants shall submit to Illinois EPA analytical results of samples for all off-Site soil boring and monitoring well locations, as depicted on Exhibit 1.

4) On or before April 6, 2015, the Defendants shall submit to Illinois EPA via email (with hard copies to be submitted thereafter) an off-Site letter report setting forth:

(aa) All raw analytical data presented in tabular format (one table should be submitted for groundwater samples and one table should be submitted for soil samples. These tables should at a minimum include: sample location, depth of sample, most stringent remediation objective, analytical results, and any exceedance of the most stringent objective should be highlighted);

(bb) Figures which show the sampling locations with the location identifications (e.g. GW-1, GW2); and

(cc) If necessary to delineate the nature and extent of off-Site contamination, a proposed plan with proposed locations for additional delineation of the nature and extent of contamination as well as a schedule for implementation.

5) If the Illinois EPA approves with conditions or disapproves of such off-Site letter report, the Defendants shall, within fourteen (14) business days after receiving the Illinois EPA's written notice of such approval with conditions or disapproval, unless the Illinois EPA grants, in writing, a longer time period, submit a proposal to the Illinois EPA, that addresses all conditions or deficiencies identified by the Illinois EPA in its approval with conditions or disapproval.

ii. ***On-Site Monitoring Well Sampling Deadlines.***

1) On or before March 27, 2015, the Defendants shall complete the installation of all monitoring wells, as depicted on Exhibit 1.

- 2) On or before April 8, 2015, the Defendants shall complete sampling of all on-Site monitoring well locations, as depicted on Exhibit 1.
- 3) On or before April 15, 2015, the Defendants shall submit to Illinois EPA analytical results of samples for all on-Site monitoring well locations, as depicted on Exhibit 1.
- 4) On or before April 29, 2015, the Defendants shall submit to Illinois EPA via email (with hard copies to be submitted thereafter) an on-Site monitoring well letter report setting forth:
 - (aa) All raw analytical data presented in tabular format (The table should at a minimum include: sample location, depth of sample, most stringent remediation objective, analytical results, and any exceedance of the most stringent objective should be highlighted);
 - (bb) Figures which show the sampling locations with the location identifications (e.g. GW-1, GW-2); and
 - (cc) If necessary to delineate the nature and extent of on-Site contamination, a proposed plan with proposed locations for additional delineation of the nature and extent of contamination as well as a schedule for implementation.
- 5) If the Illinois EPA approves with conditions or disapproves of such on-Site monitoring well letter report, the Defendants shall, within fourteen (14) business days after receiving the Illinois EPA's written notice of such approval with conditions or disapproval, unless the Illinois EPA grants, in writing, a longer time period, submit a proposal to the Illinois EPA, that addresses all conditions or deficiencies identified by the Illinois EPA in its approval with conditions or disapproval.

iii. ***On-Site Soil Boring and Sampling Deadlines.***

- 1) On or before April 13, 2015, the Defendants shall complete all on-Site soil boring locations, as depicted on Exhibit 1.

- 2) On or before April 23, 2015, the Defendants shall complete sampling of all on-Site soil boring locations, as depicted on Exhibit 1.
- 3) On or before April 30, 2015, the Defendants shall submit to Illinois EPA analytical results of samples for all on-Site soil boring locations, as depicted on Exhibit 1.
- 4) On or before May 14, 2015, the Defendants shall submit to Illinois EPA via email (with hard copies to be submitted thereafter) an on-Site soil sampling letter report setting forth:
 - (aa) All raw analytical data presented in tabular format (The table should at a minimum include: sample location, depth of sample, most stringent remediation objective, analytical results, and any exceedance of the most stringent objective should be highlighted);
 - (bb) Figures which show the sampling locations with the location identifications (e.g. SP-1, SP-2); and
 - (cc) If necessary to delineate the nature and extent of on-Site contamination, a proposed plan with proposed locations for additional delineation of the nature and extent of contamination as well as a schedule for implementation.
- 5) If the Illinois EPA approves with conditions or disapproves of such on-Site soil sampling letter report, the Defendants shall, within fourteen (14) business days after receiving the Illinois EPA's written notice of such approval with conditions or disapproval, unless the Illinois EPA grants, in writing, a longer time period, submit a proposal to the Illinois EPA, that addresses all conditions or deficiencies identified by the Illinois EPA in its approval with conditions or disapproval.

iv. *Alternative Sampling Locations.*

To the extent that the Defendants are unable to (a) complete any soil borings, (b) install any monitoring wells or (c) obtain samples in any location depicted on Exhibit 1, the Defendants shall, within twenty-four (24) hours of making each such determination, notify the Illinois EPA via email (Tim Zook at Tim.Zook@Illinois.gov and

Neelu.Lowder@Illinois.gov) of such determination and (a) specify why the boring/well could not be placed as originally depicted, (b) if an alternate location is chosen, the basis for its selection and its location, and (c) if no alternate is chosen, the basis for abandoning the location. However, in no event shall the date to complete the soil borings, install the monitoring wells or collect samples, be extended without prior written approval of the Plaintiff.

v. ***Comprehensive Site Investigation Report.***

Within thirty (30) days of the Illinois EPA's approval of the last report required under Section IV.10.b.i.-iii. above, the Defendants shall submit to the Illinois EPA a Comprehensive Site Investigation Report for review and approval in accordance with the requirements detailed in Attachment 1, attached hereto and incorporated herein. The Comprehensive Site Investigation Report shall be signed and sealed by an Illinois Licensed Professional Engineer or Geologist. If the Illinois EPA approves with conditions or disapproves of the Comprehensive Site Investigation Report, the Defendants shall, within fourteen (14) business days after receiving the Illinois EPA's written notice of such approval with conditions or disapproval, unless the Illinois EPA grants, in writing, a longer time period, submit a proposal to the Illinois EPA, that addresses all conditions or deficiencies identified by the Illinois EPA in its approval with conditions or disapproval. If the Defendants disagree with Illinois EPA's disapproval of, or conditions imposed with respect to, the Comprehensive Site Investigation Report, the Defendants shall, within twenty-one (21) days of receipt of the notice of disapproval or approval with conditions, invoke Dispute Resolution in accordance with Section X herein.

3. Paragraph 11 of the Second Agreed Order that was entered by this Court on June 11, 2014 is hereby deleted in its entirety and replaced with the following:

Remedial Objectives Report. Within forty-five (45) days of the Plaintiff's approval of the Comprehensive Site Investigation Report, the Defendants shall submit to the Plaintiff a Remedial Objectives Report that meets the requirements of Attachment C hereto. The Defendants may be required to submit separate soil and groundwater Remedial Objectives Reports. If the Plaintiff approves with conditions or disapproves of the Remedial Objectives Report(s), the Defendants shall, within the time set forth in the Plaintiff's written approval with conditions or disapproval, submit a proposal to the persons identified in Section V (Notices), that addresses all conditions or deficiencies identified by the Plaintiff. Until the Plaintiff fully approves the Remedial Objectives Report(s), the Defendants shall respond to Plaintiffs' conditions or deficiencies in writing within the timeframes set forth in the Plaintiff's written approval with conditions or disapproval.

4. The references to Attachments B and C in Paragraphs IV.11. and 12. of, and the corresponding attachments to, the Second Agreed Preliminary Injunction Order are hereby deleted in their entirety and replaced with Attachment 1, attached hereto and incorporated by referenced therein.

5. This First Agreed Modification to Second Agreed Preliminary Injunction Order is incorporated by reference in the Second Agreed Order that was entered by this Court on June 11, 2014.

6. Except as modified herein, all of the other provisions of the Second Agreed Order that was entered by this Court on June 11, 2014, remain in full force and effect.

7. This First Agreed Modification to Second Agreed Preliminary Injunction Order may be executed by the parties in one or more counterparts, all of which taken together, shall constitute one and the same instrument.

[Remainder of Page Blank; Text Continues on Page 8]

AGREED:

FOR THE PLAINTIFFS:

PEOPLE OF THE STATE OF ILLINOIS
ex rel. LISA MADIGAN
Attorney General of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/
Asbestos Litigation Division

BY: Elizabeth Wallace
ELIZABETH WALLACE, Chief
Assistant Attorney General
Environmental Bureau

DATE: 3/10/15

FOR THE DEFENDANTS:

300 WEST LLC, an Illinois limited liability
company

BY: _____

Its: _____

DATE: _____

THE ARNOLD ENGINEERING CO., an
Illinois corporation

BY: _____

Its: _____

DATE: _____

AGREED:

FOR THE PLAINTIFFS:

PEOPLE OF THE STATE OF ILLINOIS
ex rel. LISA MADIGAN
Attorney General of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/
Asbestos Litigation Division

BY: _____
ELIZABETH WALLACE, Chief
Assistant Attorney General
Environmental Bureau

DATE: _____

FOR THE DEFENDANTS:

300 WEST LLC, an Illinois limited liability
company

BY: Howard C. Gablecki
Its: Attorney

DATE: March 10, 2015

THE ARNOLD ENGINEERING CO., an
Illinois corporation

BY: _____

Its: _____

DATE: _____

AGREED:

FOR THE PLAINTIFFS:

PEOPLE OF THE STATE OF ILLINOIS
ex rel. LISA MADIGAN
Attorney General of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/
Asbestos Litigation Division

BY: _____
ELIZABETH WALLACE, Chief
Assistant Attorney General
Environmental Bureau

DATE: _____

FOR THE DEFENDANTS:

300 WEST LLC, an Illinois limited liability
company

BY: _____

Its: _____

DATE: _____

THE ARNOLD ENGINEERING CO., an
Illinois corporation

BY: _____

Its: _____

attorney for Arnold Engineering Co.

DATE: 3/10/15

ATTACHMENT 1

Reports – General

All plans and reports required by the Consent Order shall be submitted to the Illinois EPA with attachments and accompanying documentation as necessary. Plans and reports shall be mailed or delivered to the address designated by the Consent Order. Plans and reports that are hand-delivered to the Illinois EPA shall be delivered during the Illinois EPA's normal business hours.

All plans and reports submitted to the Illinois EPA shall include:

- a) The full legal name, address and telephone number of the Defendants or any authorized agent acting on behalf of the Defendants, and any contact persons to whom inquiries and correspondence must be addressed;
- b) The original signature of the Defendants or of any authorized agent acting on behalf of the Defendants;
- c) The name of the Licensed Professional Engineer (LPE) responsible for site activities and preparation of the plan or report, the date of preparation, registration number, license expiration date, and professional seal; and
- d) The LPE responsible for the site investigations, remedial activities, and preparation of the plans or reports shall affirm by original signature as follows:

“I attest that all site investigations or remedial activities, including review of laboratory data, that are the subject of this plan or report were performed under my direction and this document and all attachments were prepared under my direction or reviewed by me, and, to the best of my knowledge and belief, the work described in the plan or report has been designed or completed in accordance with the Act, and generally accepted engineering practices, and the information presented, including any qualified laboratory data, is accurate and complete.”

Comprehensive Site Investigation

The comprehensive site investigation is designed to identify all recognized environmental conditions and all related contaminants of concern that may be expected to exist at a remediation site. The comprehensive site investigation shall be performed in two phases as set forth below.

- a) The phase II environmental site assessment shall determine the nature, concentration, direction and rate of movement, and extent of the contaminants of concern at the remediation site and the significant physical features of the remediation site and vicinity that may affect contaminant fate and transport and

risk to human health, safety and the environment. At a minimum, the phase II environmental site assessment shall include:

- 1) Sampling, analyses, and field screening measurements indicating the concentrations of contaminants, if any, from the Target Compound List and any other contaminants whose presence has been indicated by the phase I environmental site assessment. Based on the phase I environmental site assessment, the Illinois EPA may add or delete contaminants from the Target Compound List for sampling, analyses, and field screening measurements;
- 2) Characterization of sources and potential sources of recognized environmental conditions and the related contaminants of concern, identifying:
 - A) The sources or potential sources of contamination;
 - B) The contaminants of concern;
 - C) Statutory or regulatory classification of the contaminants of concern and contaminated materials (e.g., hazardous waste, hazardous substance, special waste);
- 3) Characterization of the extent of contaminants of concern, identifying:
 - A) The actual contaminated medium or media;
 - B) The three-dimensional configuration of contaminants of concern with concentrations delineated; and
 - C) The nature, direction, and rate of movement of the contaminants of concern;
- 4) Characterization of present and post-remediation exposure routes, identifying:
 - A) All natural and man-made pathways that are on the remediation site, in rights-of-way attached to the remediation site, or in any areas surrounding the remediation site that may be adversely affected as a result of a release (from the recognized environmental conditions) and whether there is evidence of migration of contaminants of concern, in either solution or vapors, along such pathways that may potentially threaten human or environmental receptors or that may cause explosions in

basements, crawl spaces, utility conduits, storm or sanitary sewers, vaults or other spaces;

- B) The locations of any human and environmental receptors and receptor exposure routes; and
 - C) Current and post-remediation uses of affected or potentially affected land, groundwater, surface water, and sensitive habitats; and
- 5) Characterization of significant physical features of the remediation site and vicinity that may affect contaminant fate and transport and risk to human health, safety and the environment.

Comprehensive Site Investigation Report

- a) Site investigation results for both Phase I and Phase II of the comprehensive site investigation shall be combined into one Site Investigation Report.
- b) A Site Investigation Report for a comprehensive site investigation shall include, but not be limited to, the following chapters:
 - 1) Executive summary. This chapter shall identify the objectives of the site investigation and the technical approach utilized to meet such objectives. It shall state whether recognized environmental conditions were identified and the data limitations in the assessment;
 - 2) Site characterization. This chapter shall include the compilation of all sources reviewed and information obtained as a result of the site investigation as required by this Consent Order, including but not limited to:
 - A) Sources consulted or reviewed. This subchapter shall contain a list of reference documents used in completing the site investigation;
 - B) Site history. This subchapter shall present a chronological summary of the historic uses of the remediation site as prescribed by "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" (ASTM E 1527-00).
 - C) Site description. This subchapter shall describe the regional location, pertinent boundary features, general facility physiography, geology, hydrogeology, existing and potential migration pathways and exposure routes, and current and post-

remediation uses of the remediation site and surrounding areas that are immediately adjacent to the remediation site;

D) Site base map(s) including the following:

- i) A distance of at least 1,000 feet around the remediation site at a scale no smaller than one inch equal to 200 feet;
- ii) Map scale, north arrow orientation, date, and location of the site with respect to township, range and section;
- iii) Remediation site boundary lines, with the owners of property adjacent to the remediation site clearly indicated, if reasonably identifiable;
- iv) Surrounding land uses (e.g., residential property, industrial/commercial property, agricultural property, and conservation property);
- v) The sources or potential sources of the contaminants of concern, spill areas, and other suspected areas for any or all contaminants of concern;
- vi) On-site and off-site injection and withdrawal wells; and
- vii) All buildings, tanks, piles, utilities, paved areas, easements, rights-of-way and other features, including all known past and current product and waste underground tanks or piping; and

E) A legal description or reference to a plat showing the boundaries of the remediation site, or, for a Federal Landholding Entity, a common address, notations in any available facility master land use plan, site specific GIS or GPS coordinates, plat maps, or any other means that identifies the site in question with particularity;

- 3) Site-specific sampling plan. This chapter shall indicate those applicable physical and chemical methods utilized for contaminant source investigations, soil and sediment investigations, hydrogeological investigations, surface water investigations, and potential receptor investigations;
- 4) Documentation of field activities. This chapter shall include the results of the field activities to determine physical characteristics. At a minimum, this chapter shall include the following elements:

- A) Narrative description of the field activities conducted during the investigation;
 - B) The quality assurance project plan utilized to document all monitoring procedures (e.g., sampling, field measurements and sample analyses) performed during the investigation, so as to ensure that all information, data and resulting decisions are technically sound, statistically valid, and properly documented; and
 - C) Presentation of the data in an appropriate format (e.g., tabular and graphical displays) such that all information is organized and presented logically and that relationships between the different investigations for each medium are apparent;
- 5) Endangerment assessment. This chapter shall analyze the results of the field activities and characterize the extent of contamination (qualitative and quantitative) for contaminants of concern and compare the remediation site information with the applicable provisions of 35 Ill. Adm. Code 742. This chapter shall:
- A) Describe any recognized environmental conditions, evaluate exposure routes, including threatened releases, and evaluate exposure routes excluded under 35 Ill. Adm. Code 742;
 - B) Describe all conditions the LPE has determined to be de minimis along with the rationale for each such de minimis determination;
 - C) Describe the nature, concentration and extent of contaminants of concern within all environmental media at the remediation site and assess the observed and potential contaminant fate and transport;
 - D) Describe the significant physical features of the remediation site and vicinity that may affect contaminant transport and risk to human health, safety and the environment; and
 - E) Compare the concentrations of the contaminants of concern with the corresponding Tier 1 remediation objectives under 35 Ill. Adm. Code 742;
- 6) Conclusion. This chapter shall assess the sufficiency of the data in the report and recommend future steps;

- 7) Appendices. References and data sources, including but not limited to field logs, well logs, and reports of laboratory analyses, shall be incorporated into the appendices with reports containing laboratory analyses of samples collected on or after January 1, 2003, including the following:
 - A) Accreditation status of the laboratory performing the quantitative analyses;
 - B) Certification by an authorized agent of the laboratory that all analyses have been performed in accordance with the requirements of 35 Ill. Adm. Code 186 and the scope of accreditation; and
- 8) Licensed Professional Engineer affirmation in accordance with 1(d) of this Attachment.

Remediation Objectives Report

The Remediation Objectives Report shall address the recognized environmental condition(s) and related contaminants of concern that were identified in the site investigation conducted pursuant to this Part.

- a) If an exposure route is to be excluded, the Defendants shall prepare a Remediation Objectives Report demonstrating that the requirements for excluding an exposure route under 35 Ill. Adm. Code 742 have been satisfied.
- b) If the Defendants elect to use the Tier 1 remediation objectives under 35 Ill. Adm. Code 742, the Defendants shall prepare a Remediation Objectives Report stating the applicable remediation objectives for the contaminants of concern.
- c) If the Defendants elect to develop remediation objectives appropriate for the remediation site using Tier 2 or Tier 3 procedures under 35 Ill. Adm. Code 742, the Defendants shall prepare a Remediation Objectives Report demonstrating compliance with those procedures.
- d) If the Defendants elect to develop remediation objectives appropriate for the remediation site using the area background procedures under 35 Ill. Adm. Code 742, the Defendants shall prepare a Remediation Objectives Report demonstrating compliance with those procedures.
- e) If the recognized environmental condition requires remediation measures other than, or in addition to, remediation objectives determined under 35 Ill. Adm. Code 742 (e.g., removal of drums threatening a release), the Remediation Objectives Report shall describe those measures and demonstrate that the measures selected:

- 1) Will prevent or eliminate the identified threat to human health and the environment;
 - 2) Are technically feasible and can be implemented without creating additional threats to human health and the environment; and
 - 3) Are not inconsistent with the Act and applicable regulations.
- f) In the event that the Illinois EPA has determined in writing that the background level for a regulated substance or pesticide poses an acute threat to human health or the environment at the Site when considering the post-remedial action land use, the Defendants shall develop appropriate risk-based remediation objectives in accordance with subsections (a), (b) and/or (c) above.
- g) The Remediation Objectives Report shall contain the affirmation of a Licensed Professional Engineer(s) in accordance with 2.d. of this Attachment.

Remedial Action Plan

The plan shall describe the proposed remedy and evaluate its ability and effectiveness to achieve the remediation objectives approved for the remediation site, including but not limited to:

- a) Executive summary. This chapter shall identify the objectives of the Remedial Action Plan and the technical approach utilized to meet such objectives. At a minimum, this chapter shall include the following elements:
 - 1) The major components (e.g., treatment, containment, removal actions) of the Remedial Action Plan;
 - 2) The scope of the problems to be addressed by the proposed remedial action(s) including the specific contaminants of concern and the physical area to be addressed by the Remedial Action Plan; and
 - 3) Schedule of activities with estimated dates of completion through the recording of any institutional controls.
- b) Statement of remediation objectives or reference to Remediation Objectives Report;
- c) Remedial technologies selected. This chapter shall describe how each major remedial technology identified in the Remedial Action Plan fits into the overall strategy for addressing the recognized environmental conditions at the remediation site, including but not limited to:

- 1) Feasibility of implementation;
 - 2) Whether the technologies will perform satisfactorily and reliably until the remediation objectives are achieved;
 - 3) Whether remediation objectives will be achieved within a reasonable period of time;
- d) Confirmation sampling plan. This chapter shall describe how the effectiveness of the remedial action will be measured. At a minimum, a site-specific sampling plan and quality assurance project plan must be prepared in accordance with the provisions set forth in the Site Investigation requirements in item 1 of this Attachment;
- e) Current and post-remediation use of the property;
- f) Applicable engineered barriers, institutional controls, and groundwater monitoring. This chapter shall describe any such controls selected or relied upon in determining or achieving remediation objectives, including long-term reliability, operating and maintenance plans, and monitoring procedures;
- g) Appendices. References and other informational sources should be incorporated into the appendices; and
- h) Licensed Professional Engineer affirmation in accordance with item 2.d. of this Attachment.

EXHIBIT 1

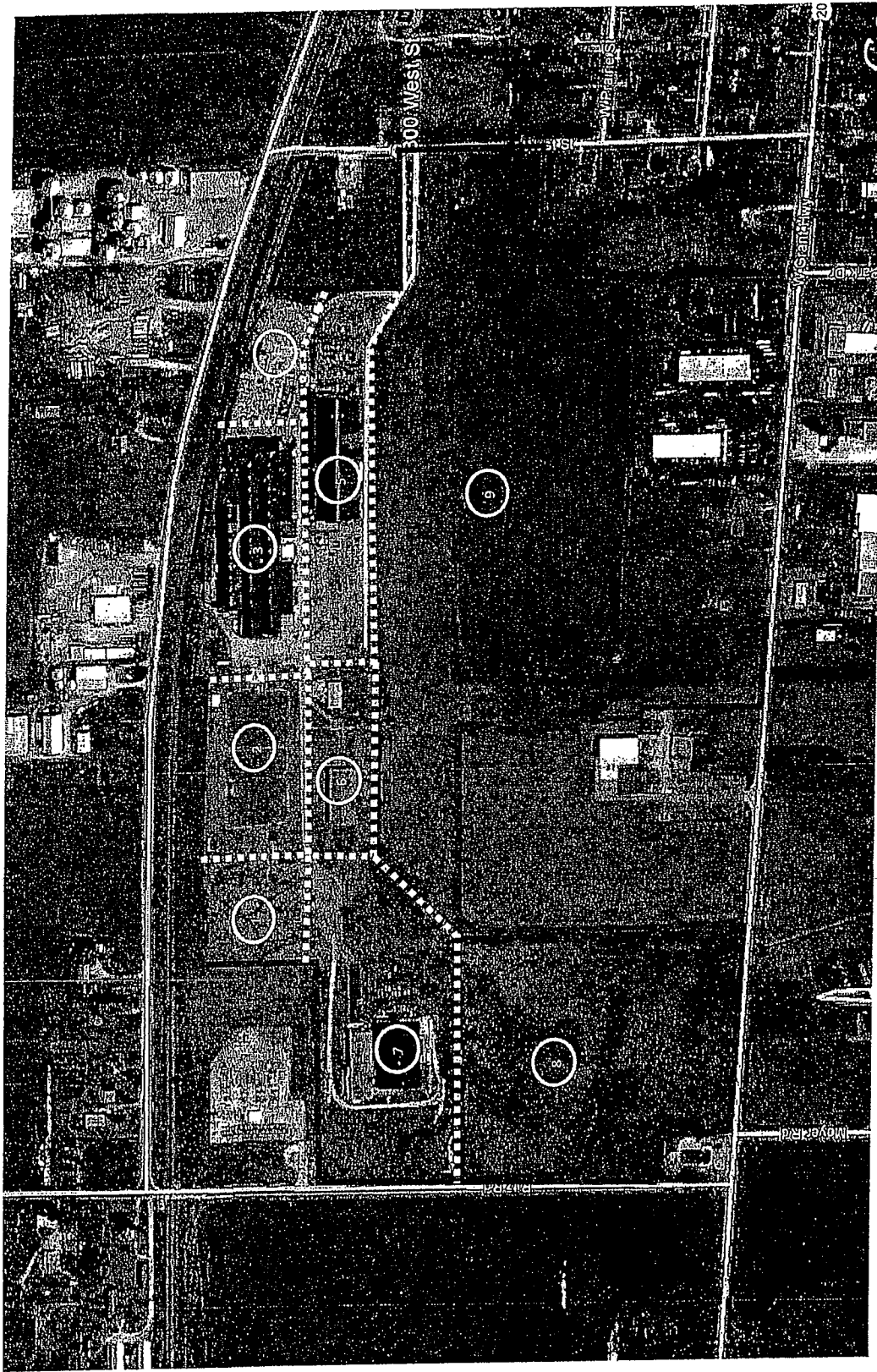


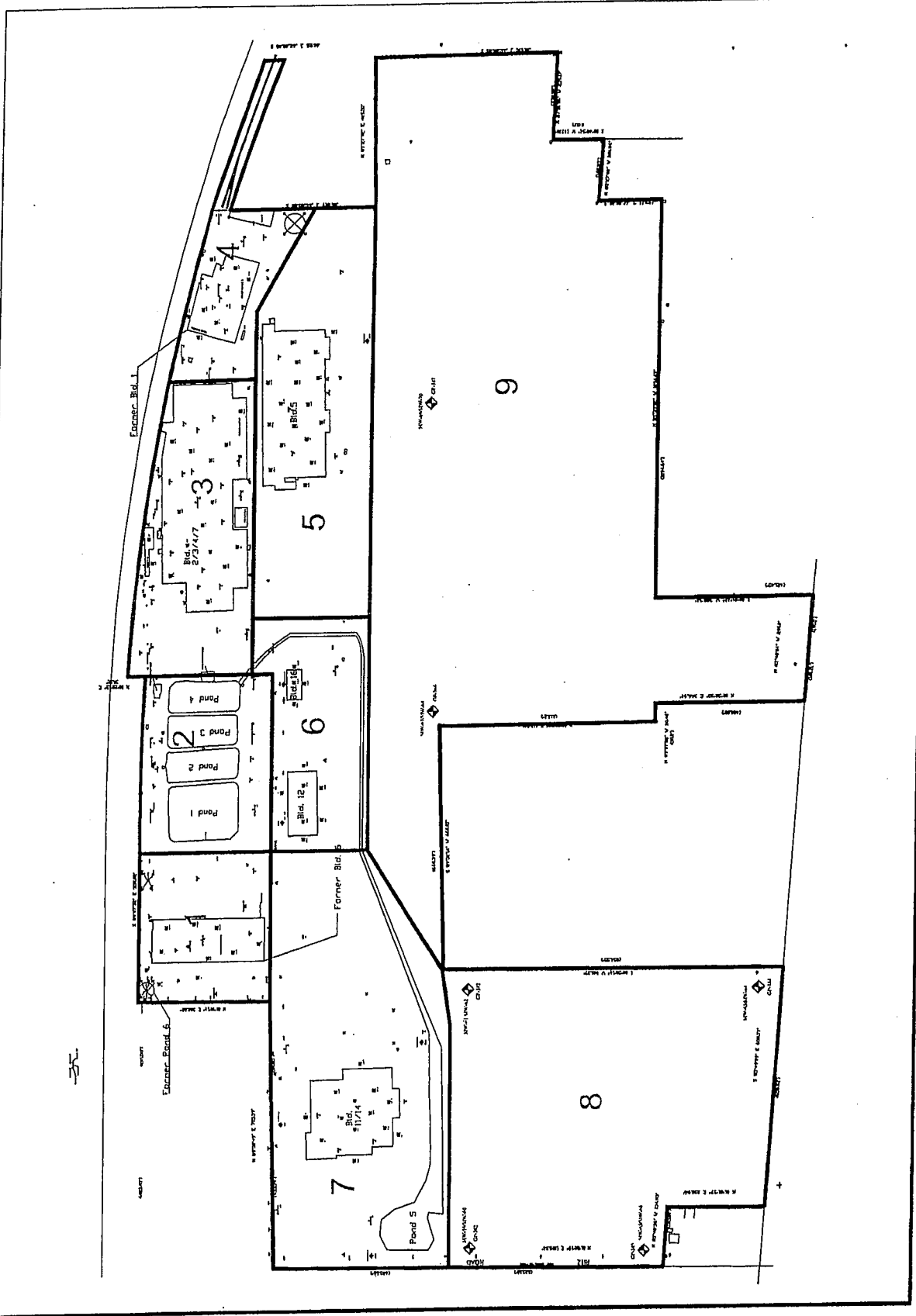
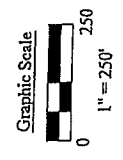
Figure 1: Site Subdivisions



Subject Property:
300 N. West Street
Marengo, Illinois

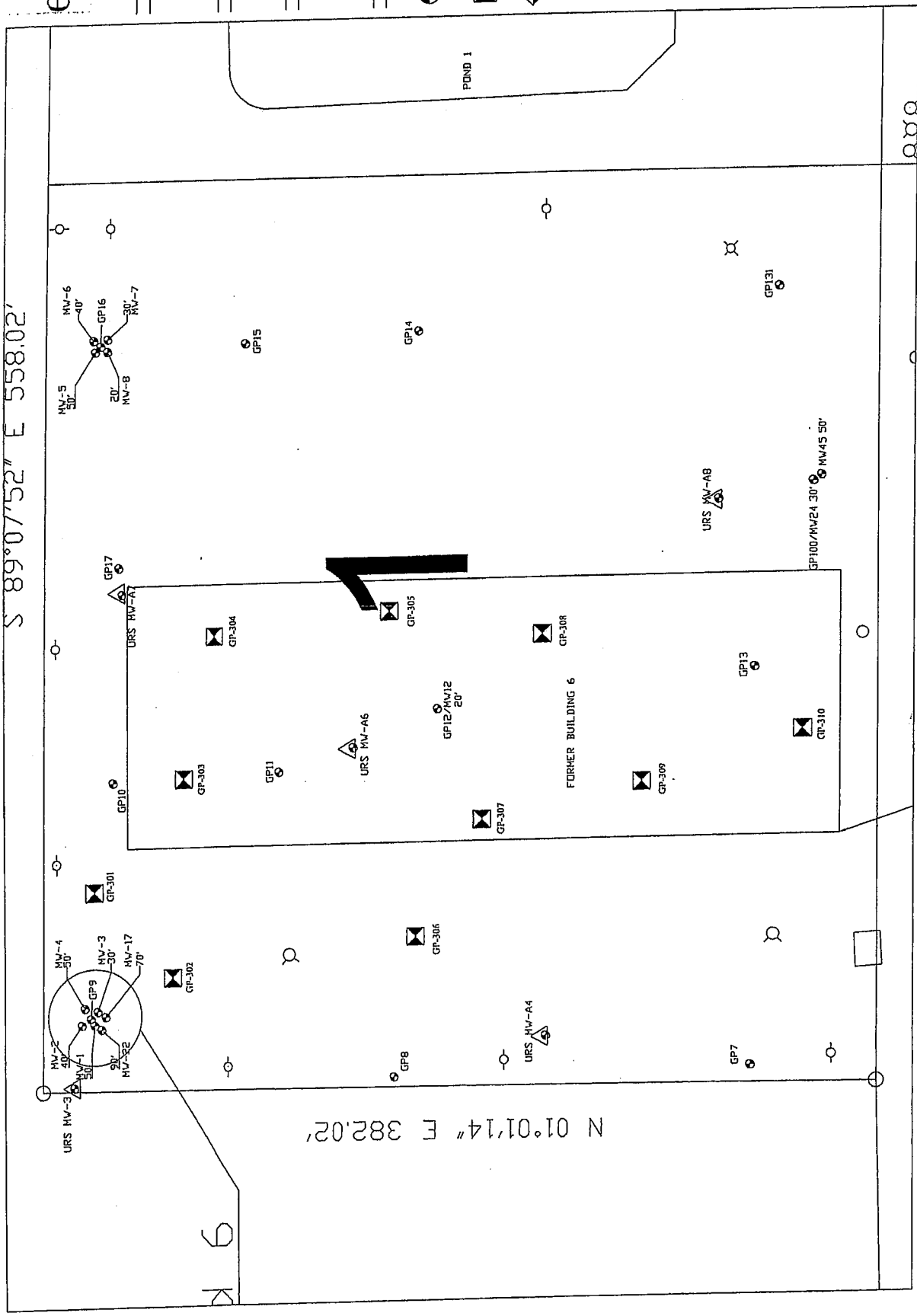
EGSL Project Number:
805247

Drawing Title:
Figure 2



S 89°07'52" E 558.02'

N 01°01'14" E 382.02'



egsl
ENVIRONMENTAL GROUP
300 N. West Street
Marengo, IL 60428
Phone: 815.291.1111
Fax: 815.291.1112

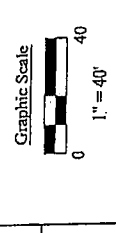
Subject Property:
300 N. West Street
Marengo, Illinois

EGSL Project Number:
805247

Drawing Title:
Figure 2.1
Subdivision 1

- Previous Soil Boring (GP) and/or Monitoring Well (MW)
- Proposed Soil Boring (soil only)
- Proposed Cluster Wells (with soil analysis)

10 Soil Boring Locations (GP-301...GP-310)
0 Monitoring Well Locations





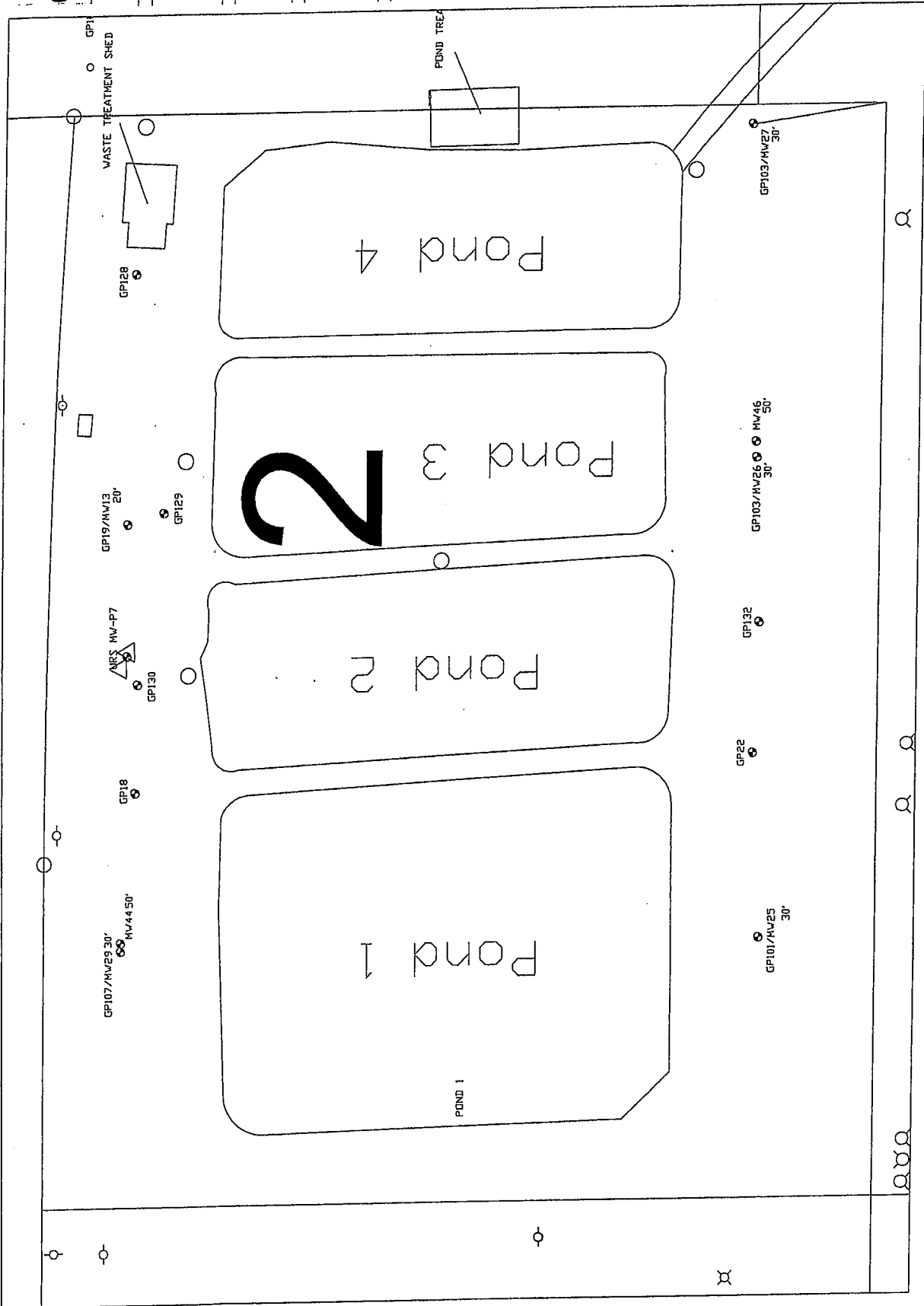
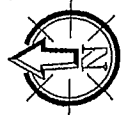
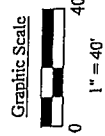
Subject Property:
300 N. West Street
Marengo, Illinois

EGSL Project Number:
805247

Drawing Title:
Figure 2.2
Subdivision 2

- Previous Soil Boring (GP) and/or Previous Monitoring Well (MW)
- Proposed Soil Boring (soil only)
- Proposed Cluster Wells (with soil analysis)

0 Soil Boring Locations
0 Monitoring Well Locations





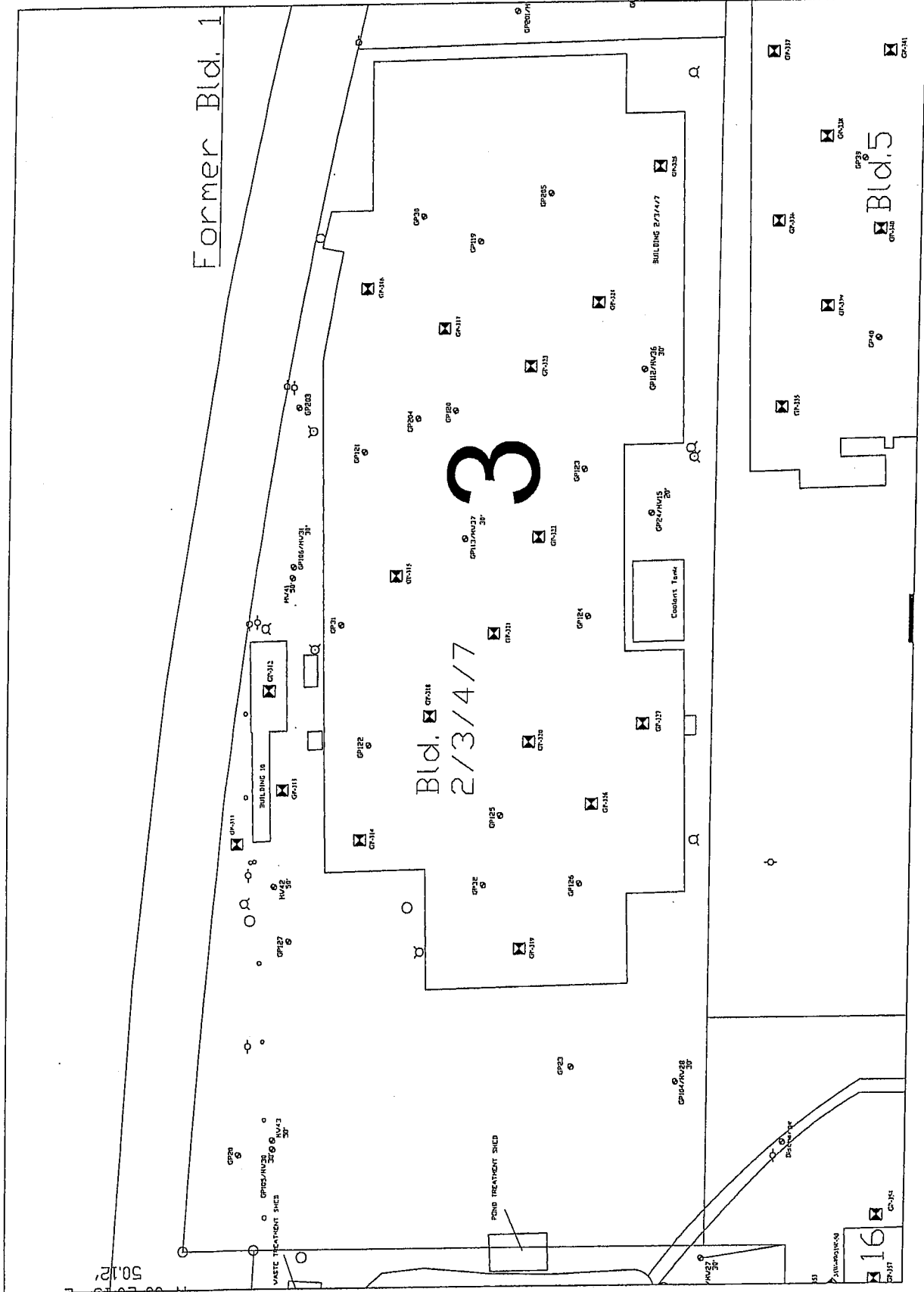
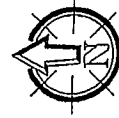
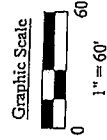
Subject Property:
300 N. West Street
Marengo, Illinois

EGSL Project Number:
805247

Drawing Title:
Figure 2.3
Subdivision 3

- Previous Soil Boring (GP)
and/or
Previous Monitoring Well (MW)
- Proposed Soil Boring
(soil only)
- Proposed Cluster Wells
(with soil analysis)


17 Soil Boring Locations
(GP-311...GP-327)
0 Monitoring Well Locations



Subject Property:
300 N. West Street
Marengo, Illinois

EGSL Project Number:
805247

Drawing Title:
Figure 2.4
Subdivision 4

 Previous Soil Boring (GP)
and/or
Previous Monitoring Well (MW)

Proposed Soil Boring
(soil only)

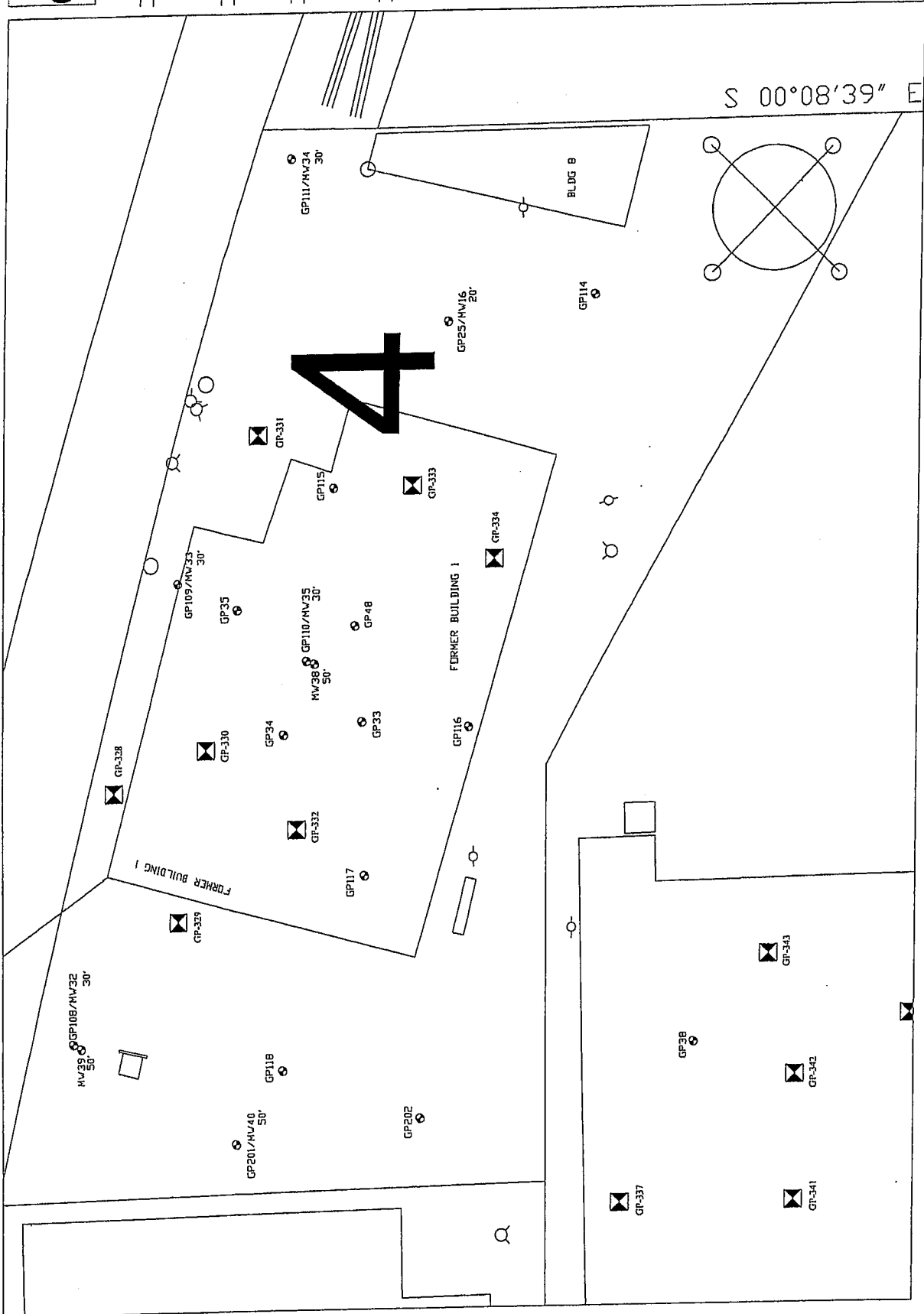
7 Soil Boring Locations
(GP-328...GP-334)
0 Monitoring Well Locations

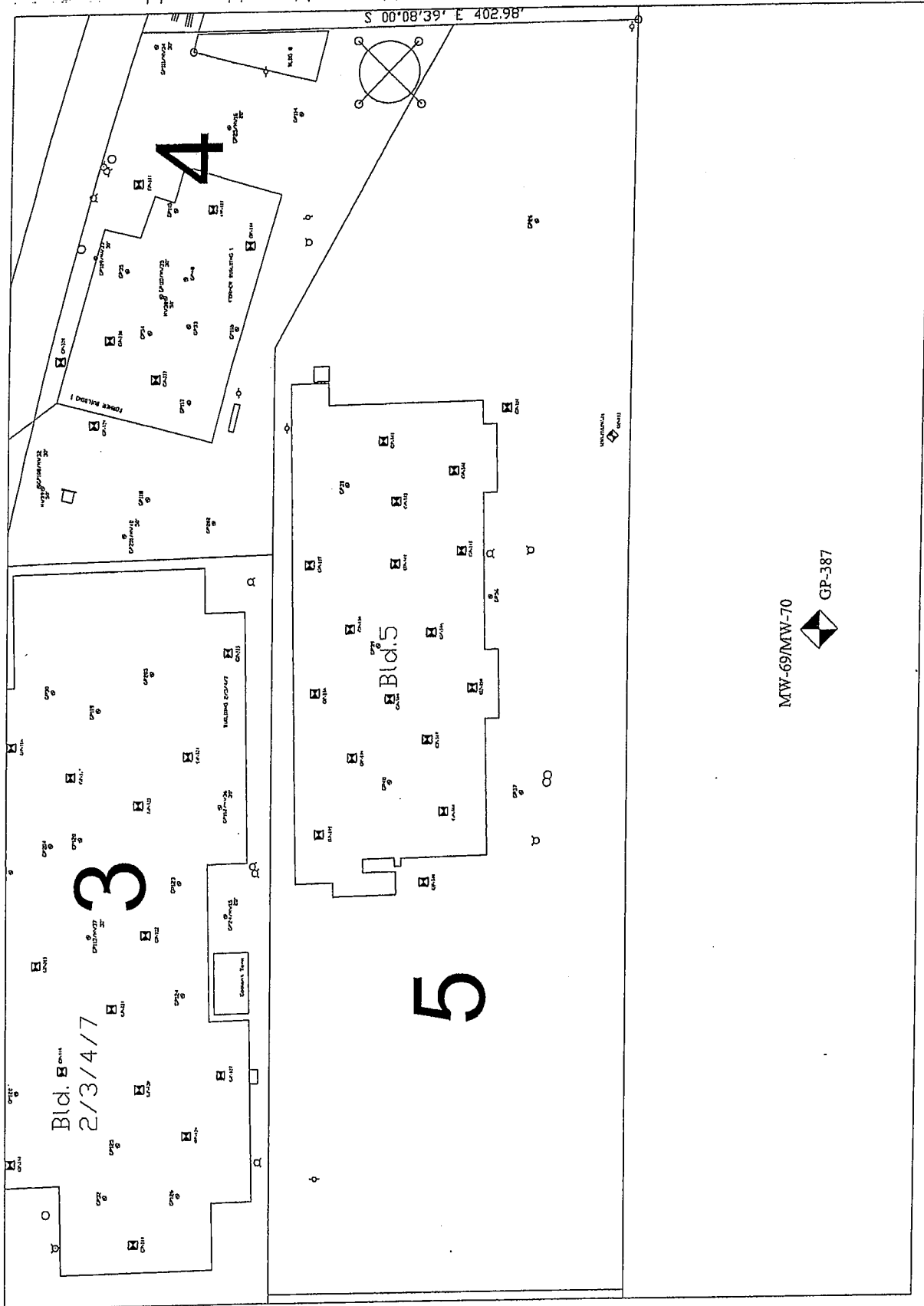
Graphic Scale



0 40

1" = 40'







Subject Property:
300 N. West Street
Marengo, Illinois

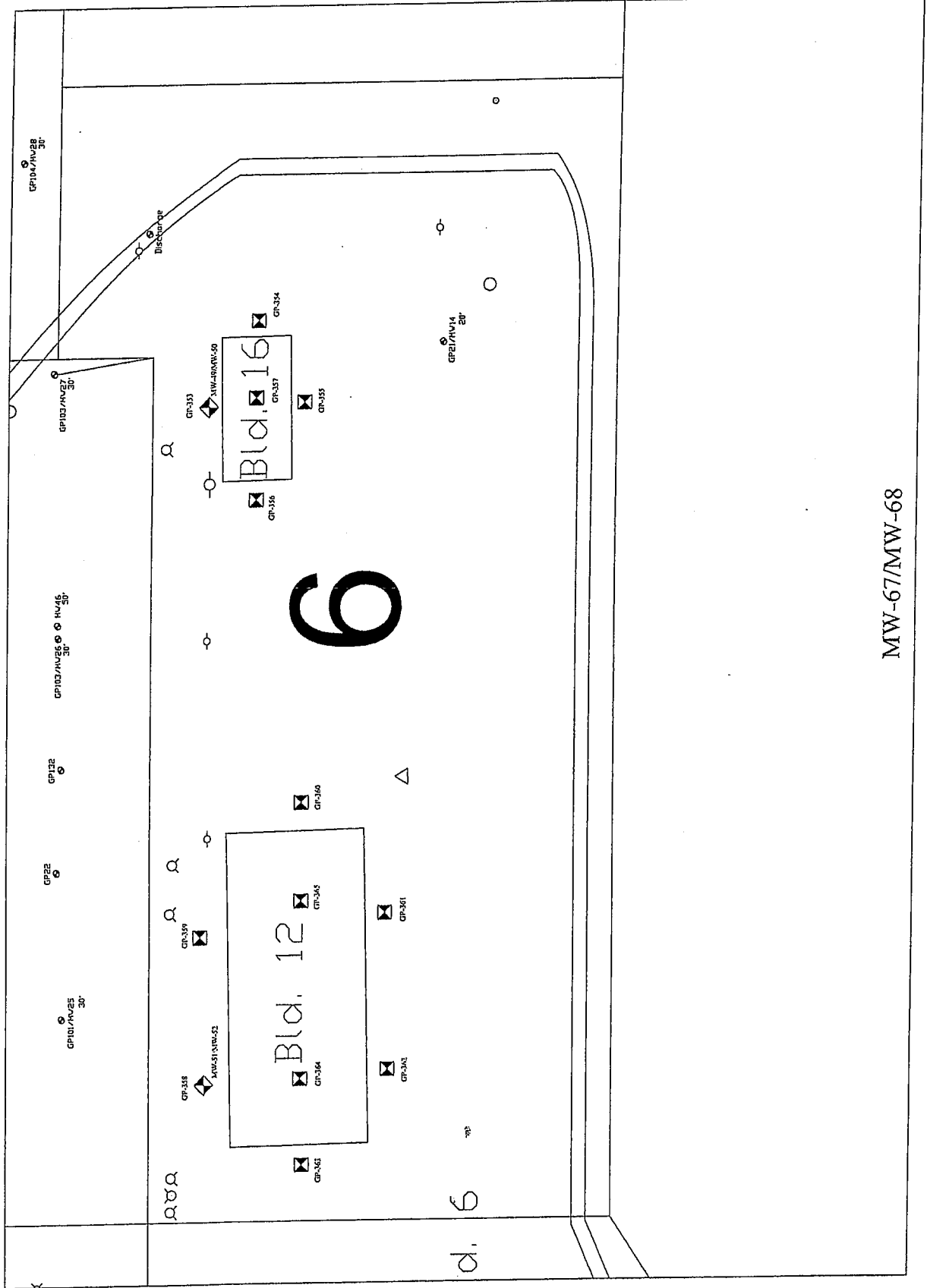
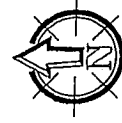
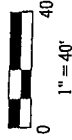
EGSL Project Number:
805247

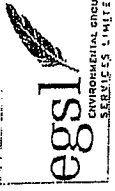
Drawing Title:
Figure 2.6
Subdivision 6

- Previous Soil Boring (GP) and/or Previous Monitoring Well (MW)
- Proposed Soil Boring (soil only)
- Proposed Cluster Wells (with soil analysis)

13 Soil Boring Locations
(GP-353...GP-365)
4 Groundwater Wells
(MW-49...MW-52)

Graphic Scale





Subject Property:
300 N. West Street
Marengo, Illinois

EGSL Project Number:
805247

Drawing Title:
Figure 2.7
Subdivision 7

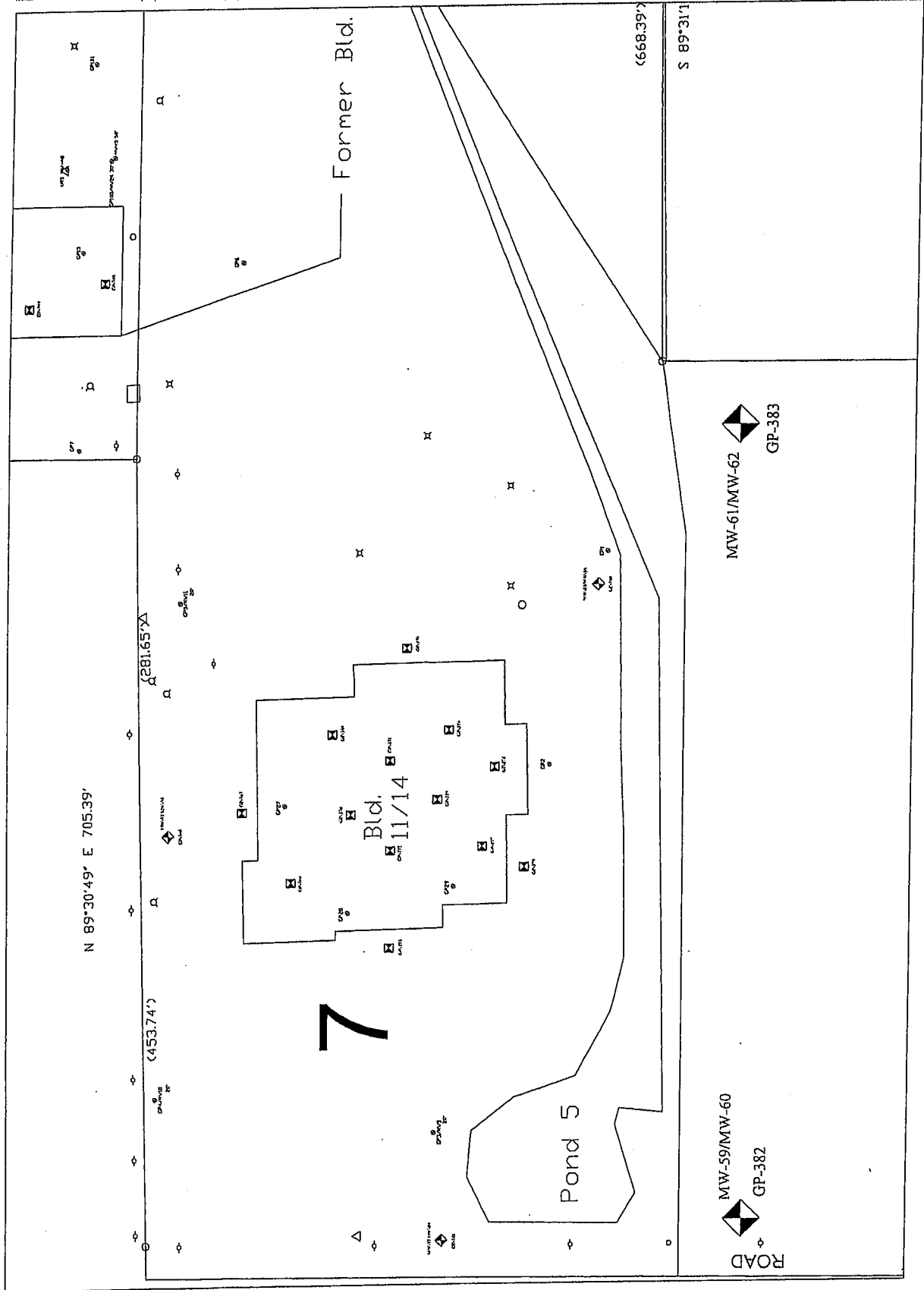
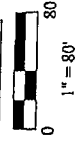
Previous Soil Boring (GP)
and/or
Previous Monitoring Well (MW)

Proposed Soil Boring
(soil only)

Proposed Cluster Wells
(with soil analysis)

16 Soil Boring Locations
(GP-366...GP-381)
3 Groundwater Wells
(MW-53...MW-58)

Graphic Scale





Subject Property:
300 N. West Street
Marengo, Illinois

EGSL Project Number:
805247

Drawing Title:
Figure 2.8
Subdivision 8

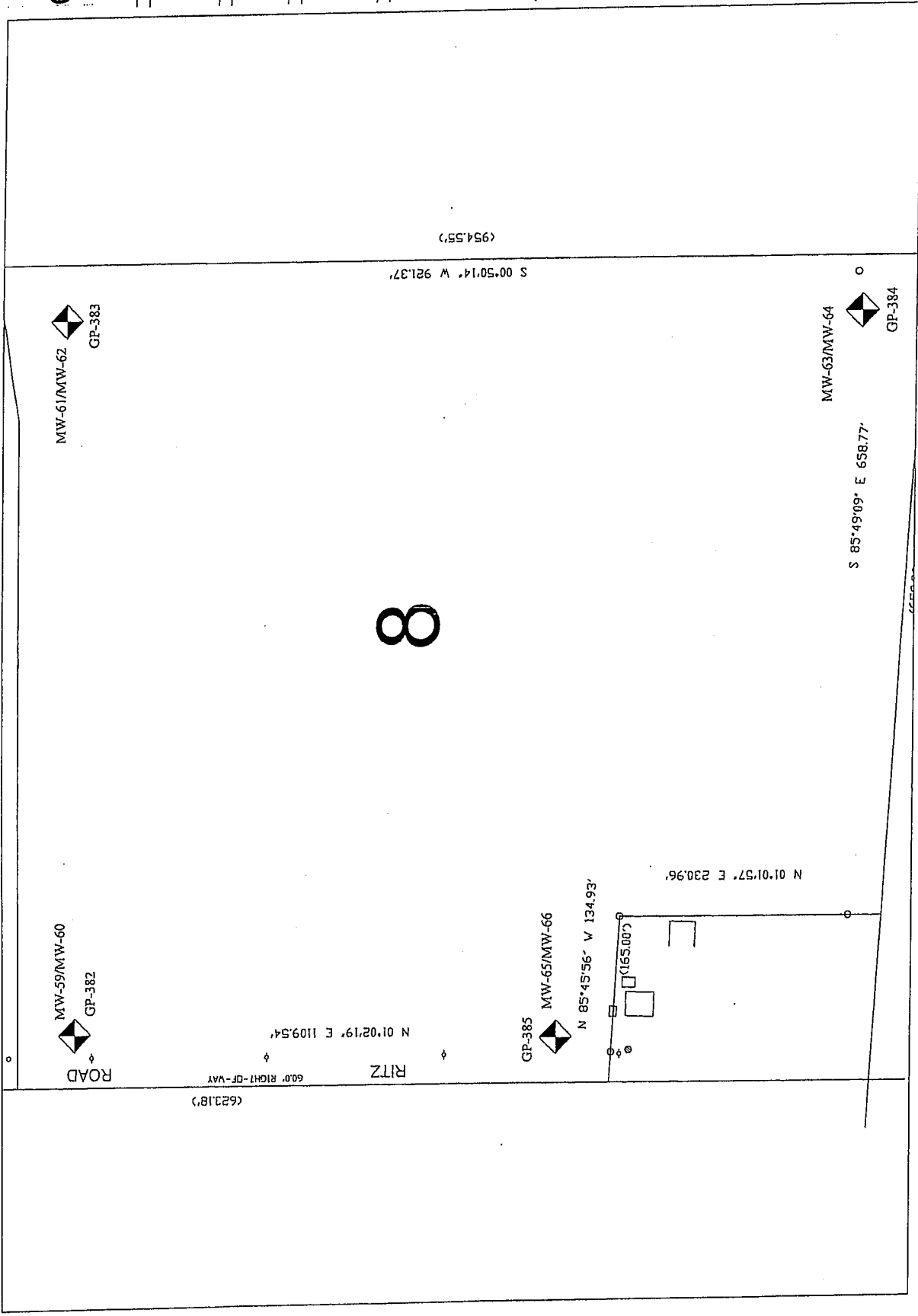
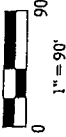
Previous Soil Boring (GP)
and/or
Previous Monitoring Well (MW)

Proposed Soil Boring
(soil only)

Proposed Cluster Wells
(with soil analysis)

4 Soil Boring Locations
(GP-382...GP-385)
8 Groundwater Wells
(MW-59...MW-66)

Graphic Scale





571 N. West Street
Suite 201
Chicago, IL 60607

Subject Property:
300 N. West Street
Marengo, Illinois

EGSL Project Number:
805247

Drawing Title:
Figure 2.9
Subdivision 9

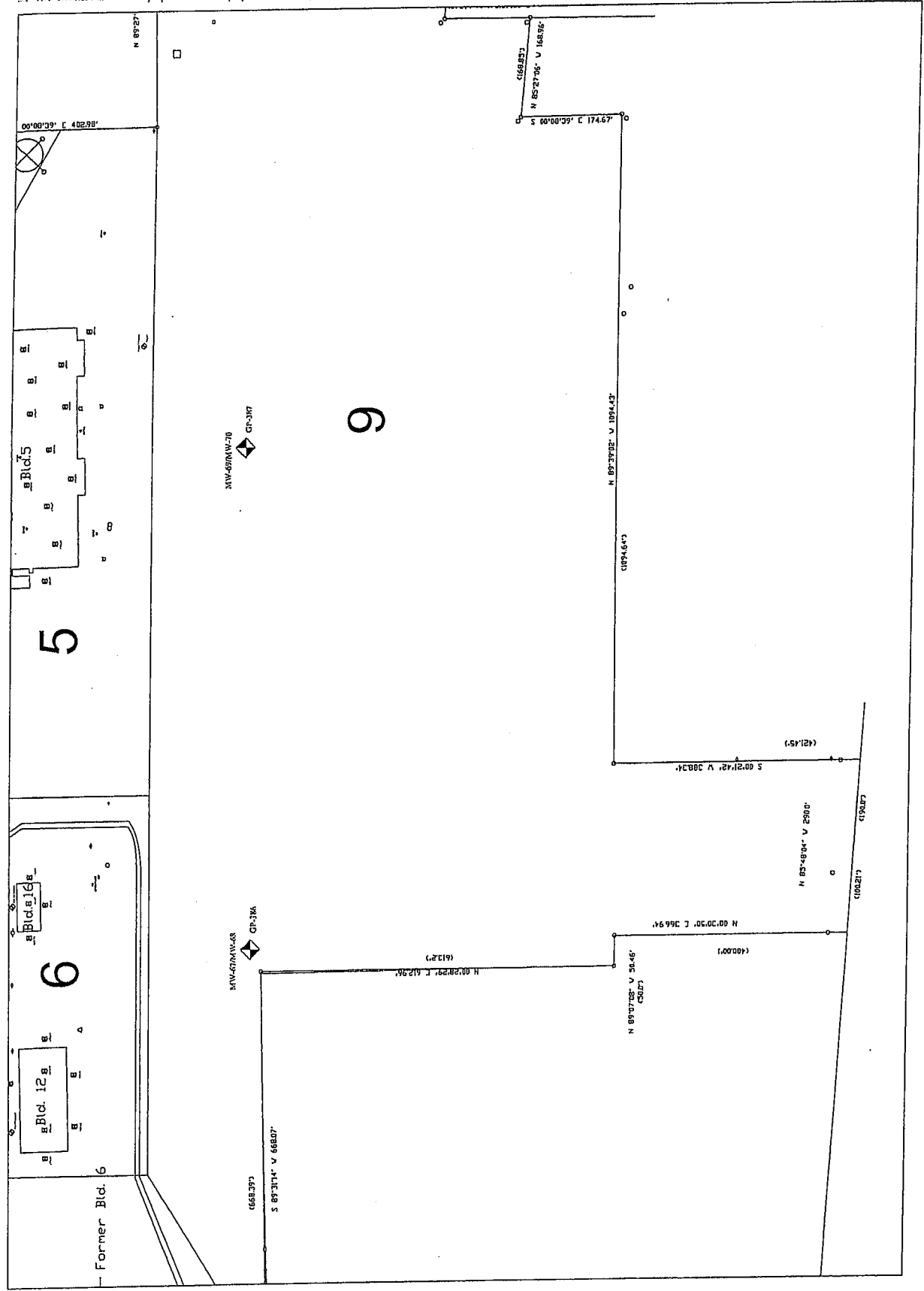
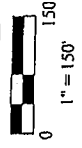
**Previous Soil Boring (GP)
and/or
Previous Monitoring Well (MW)**

**Proposed Soil Boring
(soil only)**

**Proposed Cluster Wells
(with soil analysis)**

**2 Soil Boring Locations
(GP-386...GP-387)
4 Groundwater Wells
(MW-57...MW-70)**

Graphic Scale



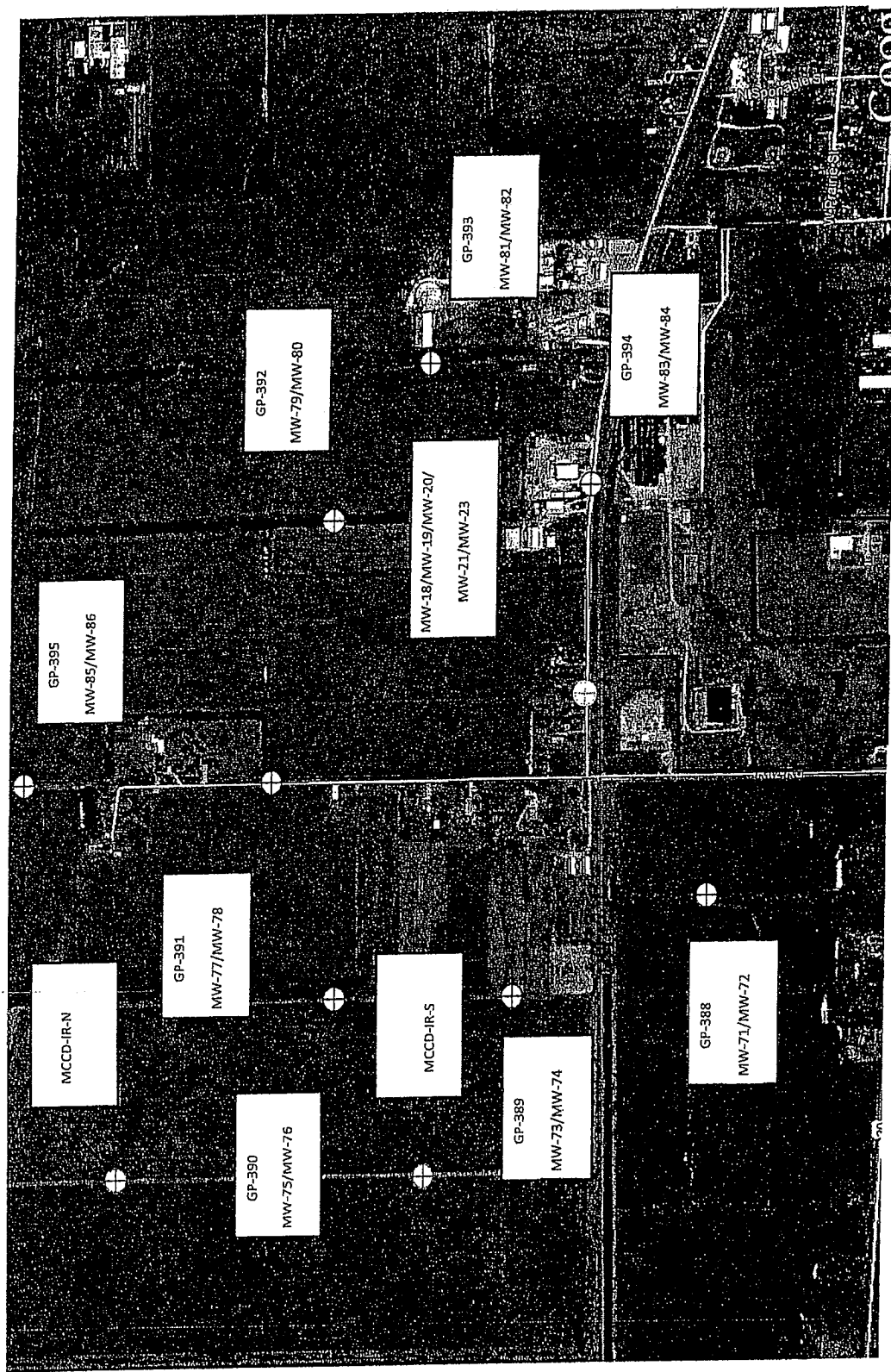
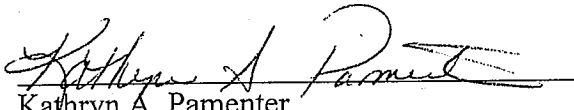


Figure 3: Off-site Sampling Locations: 8 Soil Sample Locations (GP-388...GP-395) and 23 total groundwater samples (identified below)

- ⊕ Cluster wells: 30 ft well screened from 20-30ft + 50 ft well screened from 40-50ft; (8 clusters x 2 depths = 16 GW samples). Soil samples will also be collected from these areas (8 locations x 2 sample depths = 16 soil samples)
- ⊗ McHenry County Conservation District Well (2 Irrigation wells sampled on 12/23. Estimated depth is 55-60 feet. 3 monitoring wells sampled on 12/23 (near southern irrigation well). Estimated depths are 12 feet.)
- ⊙ Previously installed nested well location: (5 total wells, currently present)

CERTIFICATE OF SERVICE

I, KATHRYN A. PAMENTER, an Assistant Attorney General, do certify that I caused to be served this 11th day of March, 2015, the attached Notice of Filing and First Agreed Modification to Second Agreed Preliminary Injunction Order upon the parties set forth on the Notice of Filing by placing a true and correct copy in an envelope addressed as set forth on said Notice of Filing, first class postage prepaid, and depositing same with the United States Postal Service at 100 West Randolph Street, Chicago, Illinois, at or before the hour of 5:00 p.m.


Kathryn A. Pamenter